

1. What is the lawsuit about?

- A. Section 8 the United States Housing Act provides for subsidized rent payments to be made by local Public Housing Authorities (“PHA”) directly to private landlords, thereby enabling qualified low-income families to rent existing, privately owned units. *See* 42 U.S.C. § 1437(a)(1)(A). Under Section 8 Housing Choice Voucher Program (“Section 8” or “Section 8 Program”), the owner of a potential rental unit and the County must enter into a standardized, uniform Housing Assistance Payment Contract (“HAP”). The HAP provides for a penalty when the PHA is more than 60 days late in making the initial payment. In this suit, Plaintiffs sought penalties for the County’s alleged failure to make initial payments on a timely basis.

2. What is the settlement?

- A. In exchange for the dismissal of this matter and for entry of the Judgment as provided for in the Settlement Agreement, the County has created a common fund in the amount of \$1,150,000.00 (minus attorneys’ fees, costs, and the Named Plaintiff’s Incentive Award) to be disbursed in accordance with the Settlement. In addition to the Common Fund described above, the Defendant shall bear all of the costs and expenses in administering the Settlement, including the hiring of a Settlement Administrator, providing the Class Notice, and providing the Claim Forms. In addition to the monetary relief provided under the Settlement, the Defendant has also agreed to significant injunctive measures which will facilitate the payment of penalties to owners of Section 8 housing units in the event any future late payments occur.

3. How does the proposed settlement work?

- A. Class members are receiving notice of the settlement agreement via mail or through publication. The Notice explains the terms of the settlement, including how Class Members may exclude themselves from the settlement or participate in the March 1, 2010 hearing, where the Court will consider whether to give final approval to the settlement agreement. The Notice of the settlement can also be accessed at this website.

4. Am I entitled to any money from the settlement?

- A. If you are an owner of residential property in Miami-Dade County who has entered into a lease with a low-income tenant and a HAP contract with Miami-Dade from April 29, 2000 to the present where Miami-Dade has not paid the initial rental payment until after the first two calendar months of the first day of the initial term of the lease and for which Miami-Dade has not paid a penalty, you may be entitled to money from this settlement.
- B. You will have to establish the following:
 - 1) You (defined as the Class Member identified above) are or were an owner of property located within Miami-Dade County and you executed a Section 8 Housing Assistance Payment Contract(s) (“HAP”) with the County related to that property.
 - 2) You did not receive your initial payment from the County until more than sixty (60) days after the effective date of the HAP and the lease agreement with your Section 8 tenant.
 - 3) You charge and collect a late penalty from your Section 8 assisted tenants and your unassisted tenants, if any, when they are late with their portion of the rent.
 - 4) You certify that the reason you were not timely paid was not due to your actions or negligence or the actions or negligence of your tenant. For example, you are not entitled to a Late Payment Penalty if the initial payment was delayed due to a violation of the Section 8 program laws, regulations, Section 8 Administrative Plan HAP and/or lease by either the tenant or you, or any action or inaction by the owner or tenant and/or Miami-Dade Public Housing Agency that would result in the County being required by law to recover an overpayment, to suspend the housing assistance payments, to abate or

reduce the housing assistance payment, to terminate the housing assistance payment or terminate the HAP.

- 5) You certify that you have not already received a late penalty from the County relating to the initial housing payment for the property and the lease identified above.

5. How do I receive payment for any late rental payments made to me by Miami-Dade County on behalf of Section 8 tenants?

- A. You must properly complete the CLAIM FORM (www.miamidade.gov/housing), sign and mail it to the Claims Administrator, CAC SERVICE GROUP, 1551 Southcross Dr. W, Burnsville, MN 55306, **POSTMARKED NO LATER THAN January 20, 2010** to be eligible to receive any portion of the Settlement.

6. What is the Claim Filing deadline?

- A. You must submit your CLAIM FORM to the Claims Administrator, CAC SERVICE GROUP, 1551 Southcross Dr. W, Burnsville, MN 55306, **POSTMARKED NO LATER THAN January 20, 2010** to be eligible to receive any portion of the Settlement.

7. How much can I receive by submitting a Claim Form?

- A. If the initial Section 8 rental payment made by Miami-Dade County to you was 60 or more days late after the first day of the initial term of the lease, you will receive \$50.00 for each month the initial rent payment was late. However, this amount may be increased or decreased depending upon the number of claims made to the Settlement.

8. What if I do not agree with Late Payment Penalty owed to me as shown on my Claim Form?

- A. You may dispute the Late Payment Penalty by providing specific documentation indicating why you deserve an amount that is different from that designated by the County's records. This documentation includes:
- i. a copy of the HAP contract indicating a start date,
 - ii. a copy of the lease agreement under which you are seeking a late payment, and
 - iii. a copy of the initial check from the County provided pursuant to the HAP contract.

In the event that you do not have the documentation referenced in the items listed above, then the County, in its reasonable discretion, reserves the right to accept or request any and all additional documentation.

9. What if I have more than one (1) property for which I received late payments?

- A. You should have received a CLAIM FORM, by mail from the Claims Administrator, for each property you own and for which you received late payments. If you did not receive a Claim Form for any property in which you believe you received late payments, please contact the Claims Administrator, CAC Services Group, by writing: 1551 Southcross Dr. W, Burnsville, MN 55306, Attention: Miami-Dade Settlement, or by phone: 800.725.7013.

10. Why did I receive more than one (1) Claim Form?

- A. Miami-Dade County's records indicate you own more than 1 property for which a late payment was made. To receive payments for more than 1 property, you must properly complete a CLAIM FORM for each property, sign and mail it to the Claims Administrator, CAC SERVICE GROUP, 1551 Southcross Dr W, Burnsville, MN 55306, **POSTMARKED NO LATER THAN January 20, 2010** to be eligible to receive any portion of the Settlement.